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SUMMARY RECORD OF THE 51st MEETING
(SECOND PART)*

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on Wednesday, 2 March 1994, at 7 p.m.

Chairman: Mr. NEAGU (Romania)
later: Mr. van WULFFTEN PALTHE (Netherlands)

CONTENTS

Question of the violation of human rights and fundamental freedoms in any part of the world, with particular reference to colonial and other dependent countries and territories, including:

(a) Question of human rights in Cyprus (continued)

* The summary record of the first part of the meeting appears as document E/CN.4/1994/SR.51.

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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES, INCLUDING:

(a) QUESTION OF HUMAN RIGHTS IN CYPRUS (agenda item 12) (continued)

(E/CN.4/1994/3-6, 7 and Corr.1 and Add.1-2, 8, 46-61, 97, 102-104, 110, 115, 119, 122; E/CN.4/1994/NGO/7, 9, 12-15, 22-24, 26, 28, 29, 37, 40, 42-44; A/48/584, 526 and Add.1, 561, 562, 578, 600 and Add.1, 601)

1. Mr. MUSA HITAM (Malaysia) said that after two years of inaction, it had taken a savage attack on innocent civilians in Bosnia and Herzegovina to galvanize the international community into threatening decisive, though very restricted, actions through the North Atlantic Treaty Organization (NATO) to stop the carnage wrought by the Serbs on the Bosnian Muslims in Sarajevo. It was unfortunate that NATO's earlier failure to take a firm stance against the Serbs had contributed to their false sense of importance, by allowing their grave human rights violations to go unpunished.

2. For nearly two years those with the power to act had passed the buck, advancing flimsy excuses, such as fear of retaliation, for their inaction. Malaysia, which had been an active contributor to United Nations peace-keeping operations from the Congo to Cambodia, and was currently contributing to those in Somalia and Bosnia, had never harboured any illusions about the risks involved. Its soldiers had suffered casualties and accepted risks, as had the Malaysian people and Government. It was ironic that, the West, while itself reluctant to send extra troops to shore up UNPROFOR, had turned down the offer by the countries of the Organization of the Islamic Conference on the grounds that that organization's troops might be biased, while being willing to accept the involvement of troops from a Power whose partiality to the Serbs was an open secret.

3. Such foot-dragging seemed to indicate that the major players on the European scene had reverted to balance-of-power politics that traded appeasement for peace. The developing world, which was often considered not quite civilized, was amazed to witness the practice of ethnic cleansing and the crimes that followed in its wake, in such a so-called civilized region.

4. The plight of the Bosnians was compounded by the continuing denial on grounds that were impossible to comprehend, of their right to defend themselves. He reiterated his Government's view that the application of Security Council resolution 713 (1991) to the Government of Bosnia and Herzegovina was immoral, invalid and illegal.

5. Malaysia had always denounced injustice and oppression, whether perpetrated against Muslims or against non-Muslims. Fair treatment was vital to the common pursuit of justice and protection of human rights. Malaysians, most of whom were Muslims, were unable to comprehend the impotence of the leading Powers in failing to come to the aid of Bosnia, and the blatant victimization of Muslims gave them every reason to suspect that there was a conspiracy against Muslims. That sentiment was shared throughout the Muslim world, on account of the double standards and selectivity that applied in bringing human rights violators to book.

6. It was to be hoped that the Serbian guns around Sarajevo had been silenced for good. However, despite that small step forward, it should not be forgotten that Sarajevo was still a city under siege and that the humanitarian relief operations were still being hampered. Moreover, the weapons withdrawn from Sarajevo could be used to intensify the bombardment of other besieged cities.

7. The events that had led to the lifting of the siege of Sarajevo had introduced a new scenario, with another member of the Security Council taking an active interest in the resolution of the conflict. It was to be hoped that the outcome would not be a return to the diplomacy of détente, which would further complicate and prolong the suffering of the people of Bosnia. It was vital for the international community to seize on the recent gains in order to secure lasting peace and respect for human rights in Bosnia. If NATO was serious in its intentions, it should extend the threat of air strikes to other areas under siege so as to create the necessary positive environment for negotiations. The shooting down of four Serbian aircraft the previous Monday was a commendable action.

8. In devising a peace plan, the temptation to force the Muslims into capitulation and acceptance of the aggressor's terms should be resisted, for history had shown that imposed solutions would only create more serious problems in the future. He expressed the hope that the new peace plan involving the Bosnian Muslims and Croats, adopted at the initiative of the United States, could be extended to the whole of Bosnia and Herzegovina in order to preserve the country's sovereignty and territorial integrity.

9. Finally, the Security Council had established an international tribunal for the former Yugoslavia. A solution to the Bosnian conflict would not absolve those responsible for committing or ordering gross violations of human rights. If the international community was serious about achieving a new world order, those who had violated customary international law must pay for their crimes.

10. Mr. MACRIS (Cyprus) said that the current session was taking place against a background of tension, marked by ethnic, religious and territorial conflicts, as well as new emerging dangers. Human rights were increasingly a common concern of mankind and could be better addressed by international cooperation. The 1993 Vienna Declaration and Programme of Action, together with the recent appointment of a United Nations High Commissioner for Human Rights, provided a new impetus for the respect, promotion and restoration of human rights.

11. The question of human rights in Cyprus had first been set before the Commission in 1975, in the wake of the invasion and occupation of the Republic of Cyprus by a foreign Power. For over 20 years, the human rights and fundamental freedoms of the people of Cyprus had been blatantly violated, in disregard of the relevant United Nations resolutions, including those of the Commission itself. For that reason, it was appropriate that the Commission should continue to focus on unresolved human rights issues which had long remained on its agenda, such as the situation in Cyprus.

12. At its forty-ninth session, in decision 1993/109, the Commission had decided to give due priority to the question of human rights in Cyprus at its fiftieth session, and to request the Secretary-General to provide a report regarding the implementation of action required by previous relevant resolutions of the Commission, the most recent of which, adopted in February 1987, had reiterated the Commission's calls for the full restoration of all the human rights of the population of Cyprus, in particular the refugees, and considered any attempts to settle any part of Varosha by people other than its inhabitants as illegal.

13. In his report (E/CN.4/1994/46), the Secretary-General referred to the proposals he had made, which included placing the fenced area of Varosha under United Nations administration, the return of its inhabitants, and the operation of Nicosia airport by the United Nations. Those steps would not constitute a solution to the problem of Cyprus, but represented confidence-building measures to facilitate progress towards a solution. The Government of Cyprus had accepted in principle the package of confidence-building measures and cooperated closely with the representatives of the Secretary-General with a view to reaching an agreement on their implementation, although the proximity talks that had recently started in Nicosia had yet to produce results. Nevertheless, the Government of Cyprus was determined to continue the talks.

14. Pending a settlement, the international community's attention should not be diverted from the gravity of the human rights situation in Cyprus, where nearly 200,000 Greek Cypriot refugees were denied the right to return in violation of United Nations resolutions, as well as those of other international bodies such as the European Commission of Human Rights, which had published a report on 2 April 1982 confirming that the occupying Power was denying the Greek Cypriot refugees the right to return to their homes.

15. Another aspect of the problem was the situation in the Greek Cypriot enclave, where a persistent policy of harassment and discrimination had reduced the number of Greek Cypriots from 20,000 at the time of the invasion to a few hundred. In pursuit of its policy, the occupying Power also prevented the operation of secondary schools for Greek Cypriot children in the enclave. In his report, the Secretary-General had stated that delivery of textbooks was being delayed as a result of the insistence on vetting them, thus adversely affecting the schooling of children. Moreover, the Cypriot delegation had just been informed of the expulsion from the enclave of the last remaining Greek Cypriot teacher. That provocative act would adversely affect the talks on the implementation of the confidence-building measures.

16. The occupying Power was also pursuing a systematic policy designed to alter the demographic character of the occupied part of Cyprus. It was estimated that since 1974 over 80,000 settlers had been transferred there, with injurious consequences even for the Turkish Cypriots, who suffered oppression by the settlers.

17. In resolution 789 (1992) the Security Council had called for a census under United Nations auspices to ascertain the number of settlers in the occupied area. Relevant information was also to be found in

document E/CN.4/1993/82. The policy of the occupying Power also included pillaging the cultural heritage and deliberately altering historic place-names.

18. Although the issue of missing persons had already been addressed under agenda item 10, he appealed for the families of those who had disappeared to be informed about the fate of their missing relatives.

19. The country responsible for the violations he had described continued to transgress international human rights instruments and all the relevant resolutions adopted by United Nations bodies, and in particular Commission resolution 1987/50. It was the Commission's role not only to be apprised of human rights violations, but also to take appropriate action to end them. The case of Cyprus, where massive, gross and continuous violations of human rights had resulted from external aggression and occupation, was a test case for such an approach.

20. Mr. LINDGREN ALVES (Brazil) said that, while item 12 seemed to be the most eagerly awaited on the Commission's agenda, careful scrutiny of all the achievements in the normative and preventive spheres showed that the most important achievements in international efforts to protect human rights stemmed from other items.

21. Nevertheless, his delegation was convinced that denunciations and monitoring played a vital role in such efforts, and believed that the concept of sovereignty and non-intervention should not be used to shield transgressors, whether individuals or Governments. In accordance with the 1993 Vienna Declaration, legitimate international concern for human rights was not subordinate to the principle of non-intervention. Brazil had demonstrated a desire for transparency that was only proper for a democratic regime, by including in its delegation the Secretary of Justice of the State of São Paulo, who had come to Geneva to provide information on cases observed in his state, both to thematic rapporteurs and to non-governmental organizations (NGOs).

22. However, his delegation also believed that in the post-cold war world new mechanisms had to be devised, biases to be overcome and false assumptions to be changed if the international system of human rights protection was to be more effective. One such assumption was that civil and political rights were essentially negative rights, Governments merely being required to refrain from certain actions. However, in Brazil and in most of the Latin American countries, despite the overwhelming presence of democratic Governments, violations still occurred. That was not due to a lack of political will, but rather to the organizational and financial problems besetting those countries. Brazil's own experience had taught it that the protection of all human rights required resolute efforts and substantial investment, and for that reason it had been endeavouring since before the 1993 World Conference on Human Rights, and subsequently with the support of the Vienna Declaration and Programme of Action, to press for the establishment of a new United Nations programme of aid for national projects to strengthen the rule of law and the overall observance of human rights. A draft resolution to that end was circulating in the Commission.

23. He emphasized that democracies could not be treated in the same way as dictatorships and that, if democratic developing countries were subjected to the same pressures as totalitarian regimes, the results might even be counter-productive.

24. Although item 12 was essentially selective, in that it focused on specific country situations, it also included the report of one of the most important thematic rapporteurs, the Special Rapporteur on extrajudicial, summary or arbitrary executions. Brazil considered the establishment of thematic rapporteurs as one of the principal instruments for the international system of protection of human rights. For that very reason, his delegation had been struck by the total absence from Mr. Ndiaye's report (E/CN.4/1994/7 and Corr.1 and Add.1 and 2), of reference to summary executions in certain countries that had been publicized the world over, and, conversely, its reference to other cases that were already being dealt with by due process of law. While recognizing the abhorrent nature of killings of street children, his delegation regretted that the report made such frequent mention of certain specific situations, but failed to refer to others which, as recognized by UNICEF, were more frequent and worrisome.

25. He drew attention to a number of tendencies in the reports of the special country rapporteurs that deserved mention. One of the most laudable aspects of their work was their efforts to cover violations of human rights, not only by Governments, but also by insurgent movements. In that respect, special commendation was due to the report by Mr. Biro on the situation in the Sudan (E/CN.4/1994/48), to the previously mentioned report by Mr. Ndiaye, which addressed the activities of Sendero Luminoso in Peru, and to the report on Afghanistan (E/CN.4/1994/53), by Mr. Ermacora, who had been a voice in the wilderness calling the attention of the international community to the plight faced by the Afghan people after they had been removed from the forefront of super-Power rivalry.

26. Another important aspect of the country reports was the number of Governments that had cooperated with the special rapporteurs by allowing them to carry out missions on the spot and by facilitating their contacts with the opposition and with detainees. His delegation firmly believed that by opening up such channels of cooperation, Governments not only demonstrated their goodwill but also enabled the international community to form a clearer picture of their tangible efforts and their difficulties. For that reason, Brazil disapproved of the persistent refusal of certain countries to allow visits by special rapporteurs, whatever the grounds might be.

27. He concluded by stating his delegation's belief that, while denunciations were useful and monitoring necessary, new and more concrete forms of international cooperation with national Governments were essential for the struggle for human rights to succeed.

28. Ms. KUNADI (India) said that over the years, the United Nations, and the Commission in particular, had given close attention to the question of Cyprus. The partition of any country created human misery, and in Cyprus, where Cypriots had become refugees in their own land, the human dimension of the problem was sadly manifested in the displacement and separation of individuals, families and communities.

29. At their summit in Jakarta in September 1992, the non-aligned countries had reaffirmed their call for the withdrawal of foreign forces and their refusal to accept the status quo. The non-aligned countries welcomed efforts to find a just and viable solution to the situation in Cyprus, in accordance with the Charter of the United Nations and international law.

30. At their meeting in October 1993, the Commonwealth Heads of Government had emphasized that nothing should be done to change the democratic structure of Cyprus. They had also called for the restoration of and respect for the human rights of all Cypriots, and for information on missing persons. The Commonwealth Action Group would continue to monitor developments within Cyprus and, upon request, assist the efforts of the United Nations Secretary-General.

31. In his report to the Security Council (S/26777 of 22 November 1993) the Secretary-General had noted an intensification of efforts to achieve an overall settlement. He had also reviewed the meetings held in 1993 regarding a series of confidence-building measures, which in his view offered real and balanced benefits to both communities, and had stated that the prospects for progress would be greatly enhanced if those measures were adopted. Her delegation ardently hoped that the international dialogue would continue, in a spirit of goodwill, guided by a high sense of statesmanship.

32. Her delegation was concerned that there had been no essential change regarding the implementation of previous Commission resolutions pertaining to refugees and displaced persons, the tracing of missing persons and changes in the demographic structure of Cyprus. India fully supported the unity, independence, territorial integrity and non-aligned status of the Republic of Cyprus and firmly upheld the human rights of all Cypriots.

33. Lastly, she expressed her Government's support for the Secretary-General's efforts to arrive at a just and viable solution to the question of Cyprus and its earnest hope that such a solution would be found at an early date.

34. Mr. MEGALOKONOMOS (Greece), speaking on behalf of the European Union, said that his statement would address human rights violations wherever they occurred.

35. In Europe, as in many other parts of the world, there had been a grave escalation of xenophobic violence and hatred. The Union was grateful to Mr. Mazowiecki, Special Rapporteur on the former Yugoslavia, who had highlighted some very serious human rights violations. It condemned those atrocities and welcomed recent measures to withdraw and place under United Nations control the heavy weaponry in Sarajevo and its surroundings. The lifting of the siege of Sarajevo and the opening of Tuzla Airport should follow. The Union was also deeply concerned about the attacks on UNPROFOR and on the staff of other humanitarian agencies and urged all involved in the conflict to allow unimpeded humanitarian access. The Union welcomed the establishment of an international war crimes tribunal for the former Yugoslavia and looked forward to the early appointment of a prosecutor.

36. The European Union noted the positive steps taken by Albania towards the creation of a democratic political system and urged the Albanian Government to continue reforms to ensure full respect for human rights, in particular the rights of persons belonging to minorities.

37. The Union remained preoccupied by the tragic division of Cyprus and hoped that the talks on a package of confidence-building measures would bear fruit. It continued to be committed to a just and lasting solution that would safeguard the sovereignty, independence, territorial integrity and unity of Cyprus. The appointment of the European observer demonstrated the Union's interest in finding a solution to the problem of Cyprus.

38. The European Union welcomed Turkey's legislative reforms on human rights but regretted the continued application of martial law in large areas of the country and the repeated human rights violations such as torture and arbitrary detention. It was concerned over the constraints on freedom of expression and the harassment of lawyers defending alleged terrorists and their supporters. While terrorism was to be condemned, it should be tackled within the rule of law and with full respect for human rights. Although Turkey had followed many of the recommendations of the Committee against Torture, the Union remained concerned by the Committee's conclusions confirming the systematic practice of torture there.

39. The Union had condemned the violence caused by the renewed crisis in Abkhazia and the increasing number of civilian victims and refugees. It welcomed the resumption of United Nations sponsored negotiations in December 1993 and looked forward to an agreement which would allow the refugees to return home. The same applied to South Ossetia, where the parties needed to show a willingness to negotiate. Under the circumstances, it was essential that Georgia should create the kind of legal and administrative framework which would enable the rule of law to prevail.

40. The Union deplored the violations of human rights in and around Nagorny Karabakh resulting from the armed conflicts there and the tensions between Armenia and Azerbaijan. It supported the efforts by the Minsk Group of the Conference on Security and Cooperation in Europe (CSCE) to find a political solution to the crisis and called on all parties to show the goodwill needed to arrive at a peaceful settlement. Whereas, in 1993, very little progress had been made towards democratization and the establishment of the rule of law, there were now encouraging signs that the Government and the opposition were ready to begin a dialogue, and it was to be hoped that the increased efforts of the United Nations and the CSCE in Tajikistan would contribute to national reconciliation.

41. The Union had noted with concern the restrictions on the freedoms of movement, association and expression imposed on certain human rights activists and opposition parties and movements in Uzbekistan and Turkmenistan and called upon those countries to establish a dialogue with human rights activists and opposition parties and movements, in order to build a democratic society based on the rule of law and respect for human rights.

42. Positive achievements had been made in El Salvador since the cessation of hostilities, in particular the ending of enforced or involuntary disappearances and the creation of a joint group to investigate acts of violence attributed to the illegal armed groups. Nevertheless, the Union was very concerned at the widespread human rights violations committed by members of military and paramilitary groups, as reported by the independent Expert, and urged all parties concerned to comply fully with the recommendations of the commissions set up under the peace agreements. The Union commended the United Nations Observer Mission in El Salvador (ONUSAL) for its valuable contribution and looked forward to a successful outcome of the forthcoming elections under international observation.

43. In Guatemala, the human rights situation gave cause for concern. Although there had been some improvement since the accession to the presidency of Ramón de León Carpio, the independent Expert had reported that, while some violations had diminished, others had increased. The Union urged the Government, inter alia, to allow indigenous people full participation in the political process of the country, to bring to justice all persons responsible for violations of human rights, to put an end to violence and impunity, to place the armed forces under the full control of the elected civil power and to guarantee the peaceful return of all refugees. It encouraged all parties to resume the negotiations in order to reach an agreement on human rights as rapidly as possible.

44. The Union was greatly concerned about reports of human rights violations in Cuba, including repression of human rights activists and opposition leaders. It called upon Cuba to grant its citizens unrestricted enjoyment of all human rights, including freedom of opinion and assembly, and to cooperate fully with the Special Rapporteur and invite him to visit the country.

45. With regard to the situation in Haiti, the Union deplored the failure of the military authorities to respect the commitments given under the Governor's Island agreement, including the early return of the legitimate president and, the re-establishment of democracy and the rule of law. The Union demanded that the military authorities should allow the members of the international civilian mission which had been evacuated to return to work freely and in security. It condemned the widespread violations of human rights, including the ill-treatment and intimidation of supporters of President Aristide, and urged the military authorities to respect their commitments.

46. While the Union welcomed the continuing decline in the number of human rights violations in Peru, it remained concerned about the overall human rights situation there and called for an independent, impartial and transparent judicial process in order to reinforce public faith in the judicial system.

47. The Union welcomed the constructive political dialogue established in South Africa through the Transitional Executive Council, leading to the holding of democratic elections.

48. The European Union welcomed the movement towards democracy in Togo and hoped that the authorities would take the necessary measures to improve the human rights situation. In particular, it called upon them to prevent members

of the army from committing human rights violations and to take appropriate legal action against perpetrators and urged all Togolese to renounce violence and respect the results of the recent elections.

49. The coup d'état in Burundi had halted the democratic process and caused considerable loss of life and displacement of thousands of people. The Union called upon the country's political forces to respect the Constitution and democratic principles and to promote national reconciliation, and hoped that the recent election of a new president would bring about a return to full democracy.

50. Despite the peace agreement signed in 1993 to end the civil war in Liberia, intermittent fighting and interruption of humanitarian aid were still continuing in some parts of the country. The new commitment of the Liberian parties to begin disarmament and install a transitional Government was encouraging, and it was to be hoped that there would be a corresponding improvement in respect for human rights.

51. Although there had been some improvement in Ethiopia since the establishment of the transitional Government in 1991, much remained to be done in the field of human rights. The successful holding of free and fair elections in June 1994 would mark an important step towards the establishment of democracy in Ethiopia. The European Union encouraged the transitional Government to implement fully its stated commitment to advance democracy and respect for human rights and urged both the Government and the opposition to resume constructive political dialogue.

52. The European Union congratulated Eritrea on its accession to independence and hoped that the Government of Eritrea would make respect for human rights a priority.

53. There had been some improvement in the situation in Somalia in the past year, but the Union remained preoccupied by the continuing violence and condemned the atrocities committed against local communities, aid workers and the troops of the United Nations Operation in Somalia (UNOSOM). It approved the continuation of UNOSOM II and urged all Somalis to work together towards achieving national reconciliation, with the assistance of the international community.

54. With respect to Rwanda, the European Union welcomed the establishment of the two United Nations missions to assist in implementing the Arusha peace agreements. It was concerned, however, over the delay in nominating a transitional Government and called upon the authorities to respect fully the results of the elections and facilitate the convening of a national assembly. It was deeply concerned by the recent incidents of violence, the proliferation of arms and the displacement of large numbers of people, and appealed to all parties to cooperate fully in furthering the peace process.

55. The Union was disturbed by the unending human rights abuses and denial of fundamental freedoms in the Sudan. The Special Rapporteur had concluded that there was a plethora of violations by government agents and officials, as well as abuses by members of the Sudan People's Liberation Army (SPLA) factions in areas controlled by them. The continuing civil war and bombing of the

civilian population had generated a flow of displaced persons within the Sudan and of refugees to neighbouring countries. The Union urged all parties to the war to respect the provisions of the relevant instruments of international humanitarian law, in order to allow the unhindered access of the civilian population to humanitarian relief. The Union commended the Special Rapporteur for his impartial investigation and report. The human rights situation should be kept under the closest international scrutiny and, the Sudan should cooperate fully with the Special Rapporteur.

56. The Union was greatly concerned over the constant deterioration of the situation in Zaire and the stalling of the democratic process. Ethnic hatred had led to violent clashes and massive population displacements. Large-scale violations of human rights, mainly by the security forces, were committed with impunity. He urged all parties in Zaire to reach an agreement on the establishment of a Government of national unity without further delay.

57. In Malawi, the progress made towards the establishment of multi-party democracy, the fact that many political parties were contesting the forthcoming general elections, and the freedom with which the press could now express a variety of political opinions were all to be welcomed.

58. The Union supported the commitment of the Government of Mali to improving the human rights situation under the agreement reached with the parties concerned with the aim of finding a solution to the country's problems.

59. It noted with satisfaction the recent agreement between the new Government of the Niger and the Tuaregs, which appeared to have halted hostilities and stabilized the human rights situation throughout the country.

60. The European Union was deeply concerned over human rights abuses in Equatorial Guinea, including arbitrary detention, torture of prisoners and harassment of political opponents. It regretted that the formal guarantees included in the 1991 Constitution had not been fully implemented and that the elections of November 1993, though contested on a multi-party basis, had not met democratic standards.

61. In Angola, the daily loss of countless lives, the massive population displacements and violations of human rights were extremely disturbing. The Union fully supported the efforts of the Secretary-General and his Special Representative to achieve a negotiated political settlement and welcomed the progress achieved at the Lusaka talks. It urged both parties to cease hostilities immediately, in order to pave the way for a comprehensive peace agreement in Angola.

62. The Union firmly condemned the assassinations which had been occurring in Algeria since 1992 and called upon all parties to break the cycle of violence, to seek peace and democracy and to respect human rights.

63. With regard to the situation in the occupied Arab territories, the European Union had already expressed its profound indignation at the recent bloodshed, in Hebron, which had left many Palestinians dead and wounded. Those events highlighted once again that the peace process should not be undermined or delayed.

64. Regarding the human rights situation in Syria, the European Union was concerned by the information contained in the reports before the Commission, inter alia, regarding torture, arbitrary detention and summary execution. The release of a large number of political prisoners was welcome, but the Syrian Government should make further efforts to comply with international human rights instruments, in particular by facilitating access to detainees, releasing all remaining political prisoners and ensuring that the administration of justice satisfied international standards.

65. In Iraq, the human rights situation was deeply disquieting, as flagrant violations of human rights continued, including summary and arbitrary executions, torture, disappearances, arbitrary arrests and detentions. The Kurds in the north and the population in the south were particular targets. The European Union firmly condemned those abuses and urged the Government of Iraq to respect Security Council resolution 688 (1991) and cooperate fully with the Special Rapporteur by inviting him to visit Iraq, by replying without delay and in a comprehensive manner to his questions, and by allowing human rights monitors into the country. The Union invited the international community to join it in demanding that the Iraqi Government fully respect and ensure all human rights.

66. The European Union was deeply concerned at the continuing reports of serious human rights violations in the Islamic Republic of Iran, including high numbers of executions, torture of prisoners and the inadequacy of the legal safeguards called for by the International Covenant on Civil and Political Rights to which the country was a party. The Union was very concerned at the persecution of some religious minorities in Iran and dismayed that members of the Baha'i and Christian communities had been sentenced to death, apparently for their religious beliefs. The Union condemned Iran's continuing threat to the author Salman Rushdie and those associated with his work. It deeply regretted the Iranian Government's refusal to allow the Special Representative, Mr. Galindo Pohl, to visit Iran and called upon it to cooperate fully with the Commission and the Special Representative.

67. The Union was deeply concerned at the large-scale fighting in Afghanistan, which had led to widespread suffering among the civilian population and a new mass exodus of refugees. It appreciated the valuable work done by humanitarian organizations in Afghanistan to alleviate the suffering. The Union welcomed the efforts of the Secretary-General and his personal representative to restore peace to Afghanistan and urged the parties in Afghanistan to do their utmost to achieve a negotiated political settlement in order to restore peace and human rights there.

68. The widespread violations of human rights and restrictions on fundamental freedoms in China and Tibet were a continuing problem. The European Union had expressed its concern about the measures that threatened the culture, religion and ethnic identity of Tibetans and the increased migration of ethnic Han into Tibet. On the other hand, it welcomed the release of certain dissidents and the willingness of the Chinese authorities to receive foreign human rights delegations. The Union appealed to the Chinese authorities to grant a general amnesty, to release all those who had been detained for peacefully expressing their political and religious beliefs and to guarantee respect for human rights and adherence to international standards.

69. China was now in a position to strengthen its commitment to human rights by acceding to the International Covenants on Human Rights. The Government of China should ensure that new legislation conformed to international human rights standards. The Union reiterated that its concerns were expressed in a constructive spirit and that therefore its appeals could not be construed as interference in China's internal affairs.

70. The persistent and grave violations of human rights in Myanmar fully justified the extension of the mandate of the Special Rapporteur, who should be allowed to carry out his investigations without let or hindrance and meet any person he wished, including the Nobel Prize winner Mrs. Daw Aung San Suu Kyi who, together with all other political prisoners, should be freed at once and allowed to participate in political life. The Government of Myanmar had still not implemented its commitment to take all necessary steps towards democracy, in the light of the results of the 1990 elections. The signing of the agreement between the Myanmar Government and the Office of the United Nations High Commissioner for Refugees (UNHCR) on the repatriation of Rohingya refugees had, however, been a positive development, and it was to be hoped that the agreement would enable refugees to return to their country in safety and dignity.

71. With regard to the human rights situation in East Timor, since the Commission's previous session the Indonesian Government had taken a number of encouraging steps, such as inviting the personal envoy and representative of the Secretary-General and the Special Rapporteur on extrajudicial, summary or arbitrary executions. The European Union called upon the Indonesian authorities to comply fully with all previous Commission decisions and hoped that competent NGOs, as well as the international media, would be granted better access. The Union noted that some members of the security forces responsible for the Dili incident in November 1991 had been sentenced, but felt that all those responsible should be duly prosecuted, tried and punished. The Union fully endorsed the Secretary-General's efforts to find a just, comprehensive and internationally acceptable settlement of the question of East Timor which fully respected the legitimate interests and aspirations of the East Timorese, and gave its continued support to the dialogue between Portugal and Indonesia, under the aegis of the United Nations Secretary-General.

72. The European Union remained concerned about the human rights situation in the Chittagong Hill Tracts in Bangladesh and hoped that the political dialogue between the authorities of Bangladesh and the political representatives of the Shanti Bahini would lead to a peaceful and lasting political solution acceptable to all the parties involved. The Bangladesh-India joint statement on repatriation of all tribal refugees from Tripura, India, to the Chittagong Hill Tracts was a welcome development, and the Union would follow its implementation closely.

73. The European Union deplored the continuing violence and human rights abuses in Kashmir. Although terrorist violence should be firmly resisted, the security forces in Kashmir should show full respect for human rights and the rule of law in doing so. In addition to the steps already taken, such as extending an invitation to the International Committee of the Red Cross (ICRC), the Indian Government should allow humanitarian and human rights

organizations unimpeded access to the region and to the population. The establishment of a National Human Rights Commission in India in 1993 was also encouraging. The Union urged the Governments of India and Pakistan to persevere with the high-level consultations which they had initiated. While the steps already taken were welcome, the Government of Pakistan should adopt effective measures to prevent violent infiltrations from territory under its control.

74. The European Union was concerned over continuing reports of human rights abuses in Sri Lanka, and while it condemned the use of violence by the Liberation Tigers of Tamil Eelam, it urged the Sri Lankan Government once again to put an end to such abuses. At the previous session of the Commission, the Government had undertaken to carry out a comprehensive human rights programme and, in the past year, had announced various measures to curb human rights abuses and to invite international organizations to visit the country, but disturbing reports had been received of arbitrary detentions incompatible with Sri Lankan law. The Union welcomed Sri Lanka's acceptance of the recommendations made by the United Nations Working Group on Enforced or Involuntary Disappearances, but more had to be done before its undertakings to the Working Group and to the Commission were fully implemented.

75. The Union was deeply disturbed by the bleak human rights situation in the Democratic People's Republic of Korea. The Government continued to deny its citizens the human rights and fundamental freedoms set out in the Universal Declaration of Human Rights and the International Covenants to which it was a party. The Union repeated its appeal to the Government to comply with international human rights standards.

76. The European Union was pleased at the increasing openness of Viet Nam, and encouraged the Government to take further steps to promote and protect human rights, particularly in the area of civil and political liberties. The Union also hoped that all persons who had been imprisoned because of their political opinions or religious beliefs would be released, as a clear demonstration of the Government's commitment to the protection of human rights.

77. Mr. ALKADHI (Iraq), speaking in exercise of the right of reply, said that, in an earlier statement, Amnesty International had referred to the human rights situation in Iraq. However, since that organization was an instrument in the hands of the great Powers, it was not surprising that it had failed to provide any basis for the information it had submitted. It had singled out only certain Islamic States and had asked that the resources requested by the Special Rapporteur be made available without asking for any resources to buy drugs and food to save the many Iraqi children and sick people at risk.

78. The Arab Lawyers' Union had requested the lifting of the economic embargo against Iraq. However, it had founded its request on the report of the Special Rapporteur although it was fully aware of the Special Rapporteur's hostile position towards Iraq and of the fact that he had based his report on information provided by parties antagonistic to Iraq.

The meeting rose at midnight.